

SCAAC Meeting Summary and Minutes

(School Curriculum, Assessment, and Accountability Council)

September 12, 2003
First Floor Conference Room
Capital Plaza Tower, Frankfort, Kentucky

Committee Members:

Margie T. Bradford	Eleanor Mills	Nancy S. Sutton
Kay Freeland	Henry Ormsby	Roxie R. Tempus
Suzanne Guyer	Roger Pankratz	J. Maynard Thomas, Vice-Chairman
Varetta D. Hurt	Robert Sexton	
Benny Lile, Chairman	Linda Sheffield	
Gary Mielcarek	H. M. Snodgrass	Two (2) Open Positions

SCAAC Agenda

	Agenda Items	Presenters
	Call to Order	Benny Lile
1.	Roll Call	Roger Ervin
2.	Review of Meeting Summary and Minutes – December 6, 2002, January 27, 2003 and July 9, 2003	Benny Lile
3.	Election of Council Chair and Vice-Chair	Benny Lile
4.	Setting of 2003-2004 Council Meeting Schedule	Benny Lile

5.	No Child Left Behind Act of 2001 (NCLB) <ul style="list-style-type: none"> a. Status update since July 9 Council Meeting b. Schedule for Reporting Spring 2003 School and District CATS and NCLB Assessment Results c. Proposed KBE Regulations for Council Review d. Council review of proposed definitions of Academic Year, Adequate Yearly Progress (AYP), Participate Rate and Annual Measure Objectives (AMO) e. Augmented NRT in Reading (grades end-of-primary, 5, 6, and 8) and Mathematics (grades end-of-primary, 4, 6, and 7) f. Test Administration and Score Reporting Options 	Scott Trimble and Cindy Owen
6.	Legislative Research Commission DRAFT Staff Report – Review of aspects of the Commonwealth Accountability and Testing System (CATS), including writing portfolios.	Scott Trimble
<p style="text-align: center;">Adjournment</p>		

Presenters:

Cindy Owen, Office of Assessment and Accountability, Kentucky Department of Education

Rhonda Sims, Office of Assessment and Accountability, Kentucky Department of Education

Scott Trimble, Office of Assessment and Accountability, Kentucky Department of Education

In Attendance:

Kentucky Department of Education: Roger Ervin, Robin Thompson

Kentucky Education Association (KEA): Sharon Felty Comer

Legislative Research Commission, Office of Education Accountability: Gerald Lunney

Prichard Committee for Academic Excellence: Cindy Heine

Call to Order**Benny Lile**

Chairperson Benny Lile called the meeting to order at 9:04 a.m. He welcomed everyone and asked for the member roll call.

1. Roll Call**Roger Ervin**

The membership roll was called with the following ten members present:

Kay Freeland
Suzanne Guyer
Varetta Hurt
Benny Lile

Gary Mielcarek
Eleanor Mills
Henry Ormsby
Roger Pankratz

Linda Sheffield
H. M. Snodgrass
Roxie Tempus
Maynard Thomas

SCAAC member comments:

Benny Lile quickly outlined items in the agenda and added at the request of Scott Trimble a review of policy issues for the DAC guide (District Assessment Coordinators guide). There are some regulatory considerations for the committee to consider.

2. Review of Meeting Summary and Minutes – December 6, 2002, January 27, 2003 and July 9, 2003**Benny Lile**

SCAAC member comments:

Benny Lile indicated that members have received minutes for the December 6, 2002, January 27, 2003 and July 9, 2003 meetings. The majority of the time our discussion and reluctance to approve the minutes are based on something that is in the summary. Benny is a strict constructionist when it comes to parliamentary procedure. In Benny's training minutes are motions and votes, no more and no less. Summary notes are additional information, which is good, and Benny wants to continue. Benny would like for Roger Ervin to send out the meeting summary and minutes in advance. Committee members should pay particular attention to the motions and votes and when we approve the minutes that are what we are approving. If you have questions about grammatical errors, typos, maybe you did not say this exactly the way Roger quoted you put that in writing to Roger and let him ok it.

If we have problems with the motions and votes then the corrections have to be addressed by at the meeting and reflected in the minutes. Benny Lile asked committee members if they were agreeable and there were no dissensions.

SCAAC MOTION

Maynard Thomas made the motion that the Meeting Summary and Minutes for December 6, 2002, January 27, 2003 and July 9, 2003 be accepted. The motion was seconded by Roger Pankratz and by voice vote the motion passed unanimously.

3. Election of Council Chair and Vice-Chair	Benny Lile
--	-------------------

SCAAC member comments:

Benny Lile advised members that the council chair and vice-chair are elected annually and the committee has adopted a policy of having the election at the September meeting. Benny Lile, at this time, would entertain any nominations, questions, or discussions for the council chair and vice-chair.

SCAAC MOTION

Suzanne Guyer moved that Benny Lile continue as the council chair and Maynard Thomas continue as vice-chair. Margie Bradford seconded the motion. There was no discussion and by voice vote the motion passed unanimously.

4. Setting of 2003-2004 Council Meeting Schedule	Scott Trimble
---	----------------------

SCAAC member comments:

Benny Lile explained why the meeting date agreed to in the July meeting was changed. Benny was at the State Board meeting the following week and the issues with NCLB and assessment in general come fast and furious and sometime unpredictable. There are two issues, full academic year and timely reporting that the committee needs to address today. On the full academic year SCAAC has a definition that is not in agreement with the Superintendents Advisory Committee (LSAC) and the State Board asked us to work with that group and try to come to a compromise definition to bring back to the Board. Looking at the LSAC meeting as September 30th, and they were not going to change their meeting; Benny felt that it was extremely important that we meet as a committee prior to that. The other issues we will take up today are also very important for the October State Board meeting.

Benny Lile felt that the committee may have to take the approach of possibly having two day meetings. As Maynard Thomas pointed out, for the first year of this committee, all meetings lasted two days.

Benny Lile asked members to look at their calendars. At the previous meeting the committee had elected hold meetings on the last Friday prior to a State Board meeting as the standing date. Benny Lile asked Scott Trimble and Cindy Owen if this provided sufficient time before the Board meeting were this committee to recommend changes.

KDE staff comments:

Cindy Owen shared that with so many things not solidified backing up the meeting an additional week or two would be wise. Once we get through this period returning to the original schedule should not be a problem.

SCAAC member comments:

Benny Lile advised that based on our discussion, the next meeting would be November 14, 2003. Committee members discussed schedule and agreed to Friday, November 14 and to hold Saturday, November 15 open in case the meeting needed two days.

Benny Lile advised the committee of the possibility that the committee may need to meet in October based on the outcome of the State Board meeting.

Benny Lile outlined the status of Maynard Thomas' recommendation that a meeting with NTAPAA, someone from the House, someone from the Senate, to sit together for a good solid information day. This has been extremely hard to schedule but still is on the burner.

Maynard Thomas, based on what he is hearing and reading, feels that not everyone is on the same page.

Benny Lile addressed the last housekeeping item. He has been working with Eleanor Mills who is now an District Assessment Coordinator. It was ok'ed by the assessment coordinators group (KAAC) to nominate her to fill the assessment coordinators slot on this council. Ken Draut, who is the president of our association now, is in the process or already has drafted the letter to go to the Governor's office. Eleanor has already served notice to the Principal's group that if that is approved they will need to be working for a replacement for Dale Campbell now and Eleanor.

KDE staff comments:

Cindy Owen suggested that should the committee need to address something critical, the meeting could be accomplished through a conference call instead of meeting face to face.

Cindy Owen introduced Robin Thompson who puts the meeting together. She joined the Office of Assessment and Accountability group in July.

<div> <div> No Child Left Behind Act of 2001 (NCLB) </div> <div> 5b. Schedule for Reporting Spring 2003 School and District CATS and NCLB Assessment Results </div> <div> Scott Trimble </div> </div>
--

KDE staff comments:

Scott Trimble at Benny Lile's request provided an update on score report release. On or about October 1 the CATS Kentucky Performance Report (KPR) and a NCLB school/district report will be posted to a secure web site for local district assessment coordinators and school staff. The KPR material will be embargoed until October 7th. The NCLB material will be embargoed an additional week. The tentative public release date in October 14th.

<div> <div> No Child Left Behind Act of 2001 (NCLB) </div> <div> 5a. Status update since July 9 Council Meeting </div> <div> Cindy Owen </div> </div>
--

KDE staff comments:

Cindy Owen provided a power point presentation on No Child Left Behind.

{Presentation is available on WEB. Meeting summary minutes do not repeat information in the power point presentation but do include committee member comments.}

<div> <div> No Child Left Behind Act of 2001 (NCLB) </div> <div> 5d. Council review of proposed definitions of Academic Year, Adequate Yearly Progress (AYP), Participate Rate and Annual Measure Objectives (AMO) </div> <div> Scott Trimble and Cindy Owen </div> </div>

KDE staff comments:

Cindy Owen explained a proposed change in determination of participate rate. For NCLB calculations of number of students National Technical Advisory Panel for Assessment and Accountability (NTAPAA) recommended that each grade have 10 students and 30 students in the school. The 10 students per grade protected the confidentiality of the individual student data. The 30 students per school provide a level of stability that school decisions can be made. The NTAPAA recommendation was presented to this committee and was approved. The State Board also adopted the NTAPAA recommendation. The 30 students in a school rule are being reevaluated.

With the 95 percent participation rule, a small school could only lose one student before being ruled out for of Adequate Yearly Progress. The proposal is to raise the number of students at the school to 60. This permits a small school to lose 3 students and still meet

the participation rates. We are planning to propose to the State Board that for participation rate only that we move from 30 students to 60 students. We are looking for input from this committee on moving to 60 students.

SCAAC member comments:

Robert Sexton said that he was talking with an individual from North Carolina and they are using 40 students per school. They thought it unfair as they had 40 students and if they had 39 in the school they would not have been held accountable. The question is how does 10 – 60 react when we hit the road with school results.

KDE staff comments:

Scott Trimble responded that Kentucky's model does use 10 students at the grade level. It is an "and" where you have 10 students at each grade "and" 60 in the school. Number of students is calculated only at the KCCT grade levels.

SCAAC member comments:

Robert Sexton then asked for confirmation that the participation rate for the overall school is 10 students per grade and 60 students in the school. For the sub-population the it is 10 students in the sub-population per grade and 30 students in the sub-population for the school. For the African American population to count, there would need to be 10 African American students at each grade and 30 African American students in the school. However, if we are talking the overall student population, it remains 10 students at the grade and 60 students in the school for participation rate calculation.

H. M. Snodgrass asked what will happen when the augmented grades become part of the NCLB. Will we adjust the numbers or continue calculating using the KCCT grades only.

KDE staff comments:

Cindy Owen responded that State Board chair Helen Mountjoy said at a subcommittee meeting that she hopes that as time goes on that USDOE will be open to us adjusting the numbers. We should not rule a change out but we also should not count on it.

SCAAC member comments:

H. M. Snodgrass asked why not plan for those situations now so that we are not locked in and so we don't have a issue of getting consideration at a later time.

KDE staff comments:

Cindy Owen responded that the State Board went with the 10-30 because they are very committed to including as many students as possible. The 10-30 is already locked in. Cindy Owen and Scott Trimble want to go back with a 10-60 participation rate. This information was new information learned from USDOE that was not available when the committee adopted the 10-30 participation rate rule.

SCAAC member comments:

Maynard Thomas said that in regions 6, 7 and 8 are not going to find sixty African American in any school. How are those schools held accountable for the progress of those students in using the 10-60 rate.

KDE staff comments:

Cindy Owen agreed with Maynard that these schools will not be held accountable for the African American students under NCLB criteria. This is a reason the committee may not want to support the 10-60 participation rule. The academic requirement is still there for all students at the grade level and schools will need to work with these students.

SCAAC member comments:

Linda Sheffield asked for a clarification. If a school has 45 African Americans and they have 10 per grade and some of students do not show up. Are we going to report African American results or not?

KDE staff comments:

Cindy Owen – There are three criteria for meeting AYP. If they meet the 10-30 rule which applies to content then we will report an annual measure objective. If the school does not test 95 percent of the African American students then the school will not make adequate yearly progress.

SCAAC member comments:

Benny Lile said that this example of 45 African American students, 5 do not show up and are not tested, and then the participation rate is 90 percent. So 40 African American students took the test. Every one of the students could score proficient. So the African American sub-population is totally proficient. The fact that 5 did not show means that they did not meet it. By taking the number to 60 then the participation rate does not apply so the African American students are reported as making proficiency. We are giving a comfort zone between 30 and 60.

OEA staff comments:

Jerry Lunney amplified on schools making AYP. There are a possible 36 score points and if a school misses one the school does not meeting AYP.

SCAAC member comments:

H. M. Snodgrass wanted to know if there was anything magic about 60?

KDE staff comments:

Cindy Owen said that they took smallest school and calculated how many students could be absent and still make the 95 percent participation. We started at one and moved up the count up to 3 students missing. That turned out to be 60.

SCAAC member comments:

Benny Lile pointed out that the smallest schools will be the most impacted by students not tested.

SCAAC MOTION

H. M. Snodgrass and Margie Bradford made the motion that we adopt the proposal as presented for participation rate. Margie Bradford seconded the motion. There was no discussion. The motion was voted on by voice vote. The motion passed with Maynard Thomas and Veretta Hurt opposed.

KDE staff comments:

Cindy Owen continued the presentation. First item described was percent proficient and whether NCLB percent proficient was going to be equivalent to CATS proficient or CATS apprentice. The State Board did decide that proficient for NCLB would be defined as CATS proficient. The 99 percent confidence interval was discussed with NTAPAA. Cindy Owen provided some examples. Confidence intervals are built based on the stakes attached to the test. If the test is built on high stakes then you want to be assured that the decision about that school is correct. If the stakes are not so high and the consequences do not come fast and furious, you could allow a smaller confidence interval.

SCAAC member comments:

Robert Sexton had a concern about the confidence interval as staff from one of the State newspapers is digging into it and they do not fully understand confidence intervals. Robert is concerned that the confidence level is too tight. In reality a school can reach its objectives if it's proficiency went backwards. Depending on the size of the school the range of the interval could be very large. Some schools may meet their goal with confidence intervals that are not defensible.

Robert Sexton's is concerned that this has not been publicly talked about. No one even knows this exists.

KDE staff comments:

Scott Trimble responded that under CATS accountability system, this is built into the long term growth charts. There is standard error of measurement built into the accountability long term growth charts. There is a standard error of measurement built into the growth line and the assistance line.

Benny Lile, Maynard Thomas and Roxie Tempus are concerned about the PR, the perception the public may have of this.

KDE staff comments:

Cindy Owen pointed out that the State Board has already made a decision on this approach.

SCAAC member comments:

Linda Sheffield said that under the proposed approach fewer schools will be identified for not making AYP because the window will be so large.

Maynard Thomas and Roxie Tempus talked about the fact that small districts may not be able to provide students with a school choice because the district does not have another school at the grade level.

KDE staff comments:

Cindy Owen reported that NCLB does not require you to go outside of your district. The State Board is encouraging districts to work out arrangements with other districts. Also, non Title I schools and Title I schools that do not receive money are not impacted by the consequences. So many high schools in Kentucky will not have to implement school choice. Districts are impacted if they have any Title I schools.

Cindy Owen briefly talked about the augmented testing. Plans are to take a off-the-shelf norm referenced test and add multiple choice and open response items connected to our core content. We are bound to have the tests in place for the 2005-2006 school year. Our Commissioner wants the tests in place the year before at grades end-of-primary, 4, 5, 6, 7 and moved on the definition. We are looking at field testing in the Fall of 2004.

Grade	Augmented Test	
End-of-primary	Reading	Mathematics
Grade 4		Mathematics
Grade 5	Reading	
Grade 6	Reading	Mathematics
Grade 7		Mathematics
Grade 8	Reading	

Cindy Owen began the discussion on the definition of full academic year. In July we shared with you that we had to have a common definition for NCLB and CATS. We now have found out from the feds that it is permissible to have a more stringent state definition than what is used for NCLB. When this was discussed at the Local Superintendents Advisory Council (LSAC), it was discussed there that, yes, you could have two different definitions. Different parts of USDOE were saying different things. The final ruling is that the state can only be more stringent than the federal.

The USDOE also said that states can have a dual system, something we previously were told could not happen. Florida has been approved with a dual system. This doesn't mean two systems.

This committee was working on one set of parameters and LSAC was operating on another set of parameters. LSAC's definition of full academic year is students enrolled on the sixth instructional day of the school continuously through the last day of testing. The rule then says that If the school is not accountable and student is in the district for the same period of time, then the district is accountable for the student. LSAC said no. They want the school to be accountable for this scenario. That is not possible as far as NCLB.

The policy we are currently operating under is that if the student is enrolled on the first day of testing then the school is accountable for the student. That is much more stringent than the definition of full academic year. However our limited English proficient (LEP) policy is not more stringent; it is more flexible. Thus our more flexible Kentucky policy and more stringent NCLB LEP policy most likely will not be acceptable.

SCAAC member comments:

Benny Lile added that our understanding today is that while we might come up with a more stringent full academic year definition for CATS than NCLB we need to come up with a common definition that applies to all students.

KDE staff comments:

Cindy Owen added that our current policy for LEP students cannot stay in place. The current policy is to have students in a English speaking school for two years before you test.

SCAAC member comments:

Benny Lile reminded the committee that they voted on 150 days but it was understood that we were not wedded to the number 150. It was a issue of a accumulative number of days. The department ran simulations and 150 days was not going to work. Cindy and Scott began backing up the number and knowing State Board would ask for a rationalization. We could not come up with a reason for 140, 130 and so on. We had a rationalization for 100 and that had been the writing portfolio rule all along.

LSAC went with the sixth instructional day. We were commissioned by the State Board to get together with LSAC to come up with a compromise. Benny has talked with Dr. Mooneyhan, chair of LSAC and Shelby Co. superintendent. LSAC was not interested in having a special meeting and Dr. Mooneyhan suggested that SCAAC representatives attend the next LSAC meeting. Benny Lile and Maynard Thomas will attend and any SCAAC member is also welcome to attend.

KDE staff comments:

Cindy Owen indicated that the big difference in the two definitions is transient students. SCAAC's definition is more inclusive of migrant student and LSAC's is less. LSAC requires continuous enrollment.

SCAAC member comments:

Suzanne Guyer asked if LEP students need to be tested in their own language?

KDE staff comments:

Cindy Owen responded that NCLB says that you can have a specific language test, otherwise you can use a translator.

SCAAC member comments:

Linda Sheffield pointed out that in Northern Kentucky the LSAC proposal will eliminate a lot of students because there are so many small districts and the children move back and forth between the districts.

Roxie Tempus asked for confirmation that for NCLB you could have the 100 day rule and for CATS continue to current rule. Benny Lile responded yes.

Roger Pankratz advised that he had just completed an elementary school study where they attempted to follow students for three years. There was a high shift in students from year to year. A third of the students were not there the next year. At some of the urban schools 50 percent of students was not there the following year. It is hard to make intelligent decisions without hard number.

KDE staff comments:

Scott Trimble advised that good numbers are not available. We did match up data across two years using crude matching and 10 to 12 percent of the students had moved.

SCAAC member comments:

Maynard Thomas asked if there could be separate definitions at the school and district level for full academic year.

KDE staff comments:

Scott Trimble responded that there has to be a single NCLB definition for full academic year.

Cindy Owen advised that most likely LSAC's district definition would not meet federal compliance.

SCAAC member comments:

Benny Lile asked the committee to come up with a definition that is logical and reasonable. Benny's feeling is that the current policy of enrolled on the first day of the testing is not logical or reasonable. It is noble to test students that arrive from out of state but it is not logical or reasonable. Nor is the 6th day of school where the student must be in the school continuously logical or reasonable. If the student leaves the school or district for one day then they are not accountable for the student. If our transient students were high achieving, then this issue would not even be on the table. Teachers and schools will be extremely frustrated when the Distinguished student enrolls on the twelfth day of instruction and the school can not count the scores. This will have a major impact on small schools. Is there a compromise?

Benny then stated the issue in percentages. 100 days represents approximately 65 percent of the school year. The question is should a school be responsible for a student that they provide instruction for 65 percent of the year?

H. M. Snodgrass explained what currently happens between county districts and his independents who have reciprocal student enrollment agreements. Just before testing students enroll in his district from the county. Is it fair that his teachers who have not had an opportunity to teach these students be held accountable for them? Given the two proposals, H. M. feels that 100 days is a good compromise as portfolios are already 100 days and it is operationally reasonable for a school district.

Varetta Hurt agrees with 100 days.

Maynard Thomas felt that the department should have/needs to have data available to find out where students are coming from.

Linda Sheffield pointed out that for example use 71 percent of instructional days or 96 percent of the instructional days, you are still leaving quite a few students out of accountability.

Benny Lile asked committee members if there was anyone in favor of the LSAC proposal. Members indicated that they were not in support of the LSAC proposal.

Benny Lile then asked the members if they had a idea, a suggestion, a rational of a way to compromise to take to the LSAC meeting. This committee intends for more inclusiveness of students on a reasonable manner.

Maynard Thomas pointed out that it would be helpful to understand how LSAC came up with the rational. Unfortunately, there is no one here that can explain LSAC's` rational.

H. M. Snodgrass asked if LSAC made their decision under the guise of NCLB while retaining the current CATS decision. A possible compromise is to go with 100 days and apply to both systems. A common 100 day definition helps everyone.

Roxie Tempus pointed out for this to work there has to be a student attendance system in place statewide to track students.

KDE staff comments:

Scott Trimble responded that the department is working on a statewide student database where each student will have a unique student identification number. This is often referred to as the STI state accumulator.

Cindy Owen cautioned members that while the department has this project on a fast track, we do not know when the accountability system will be in position to use information housed in the STI system.

SCAAC member comments:

Cindy Heine spoke for Robert Sexton as he left for another meeting. She feels Robert would like to include as many students as possible in the accountability system and would support keeping the current CATS definition.

Maynard Thomas is concerned by the assumption on many peoples part that school is over when testing is completed. NCLB needs to understand that the school year is not over when testing is complete.

SCAAC MOTION

H. M. Snodgrass made the motion that there is one definition for full academic year for both CATS and NCLB and the Kentucky Department of Education implement in STI as fast as possible a statewide student identification number. Roxie Tempus seconded the motion. There was no discussion. The motion, with a voice vote, passed unanimously with two member abstentions.

SCAAC MOTION

H. M. Snodgrass made the motion that the definition for full academic year is a student enrolled in the school for any 100 instructional days between the first instructional day of the school year through the first day that testing can begin in the state. Roxie Tempus seconded the motion. The motion, with a voice vote, passed unanimously

At 11:47 a.m. the committee began a lunch break.
The meeting was reconvened at 12:25 p.m.

SCAAC member comments:

Benny Lile called the meeting back to order at 12:25 p.m.

5c. No Child Left Behind Act of 2001 (NCLB) Proposed KBE Regulations for Council Review

Cindy Owen

KDE staff comments:

Cindy Owen described the school consequences for NCLB. The language appearing in regulation follows:

Tier 1 consequences

If a Title I school is identified as a No Child Left Behind (NCLB) improvement school, the local school district shall provide parental notification with explanations, required in 20 U.S.C. 6301 et seq., including information that all students enrolled in the school have the option to transfer, at the district's expense, to another public school operated and selected by the local school district that has not been identified as a school in improvement. The NCLB improvement school shall also write or revise its school plan.

Tier 2 consequences

If a Title I school identified as a NCLB improvement school fails to make adequate yearly progress in both reading and mathematics by the end of one (1) full year after being identified as a NCLB improvement school, the local district shall require that school to provide supplemental services as required by 20 U.S.C. 6301 et seq., and continue to provide services mandated in Section 11(1) *{Tier 1 consequences}* of this administrative regulation.

Tier 3 consequences

If a Title I school identified as an NCLB improvement school fails to make adequate yearly progress in both reading and mathematics by the end of two (2) full years after being identified, the local district shall take corrective action as required by 20 U.S.C. 6301 et seq. and consistent with all relevant Kentucky statutes, and continue to provide services required in Section 11(1) and Section 11(2) *{Tier 1 and Tier 2 consequences}* of this administrative regulation.

Tier 4 consequences

If a Title I school identified as an NCLB improvement school fails to make adequate yearly progress in both reading and mathematics by the end of three (3) full years after being identified, the local district shall plan for alternative school governance required by 20 U.S.C. 6301 et seq., and continue to provide services required in Section 11(1), Section 11(2), and Section 11(3) *{Tier 1, Tier 2 and Tier 3 consequences}* of this administrative regulation. If adequate yearly progress in both reading and mathematics is not made four years after being identified as a NCLB improvement school, the alternative governance plan shall be implemented.

Cindy noted that when parents are offered the opportunity to transfer their students, the school district selects the other public school within their district. When there is not sufficient room to transfer all students who requested to be transferred, then the school district shall give preference to the lowest achieving students from low-income families.

When students' transfer to another school and the original school is no longer a NCLB improvement school, the students can remain at the new school but transportation responsibility shifts from the school district to the parents.

SCAAC member comments:

Suzanne Guyer asked if the receiving school had any say in the number of slots available for transferring students.

KDE staff comments:

Cindy Owen responded that there will need to be discussions on this. If there are two schools and one is not an NCLB improvement school then student transfers are based on the number of slots. When there are multiple schools that are not NCLB improvement schools, then there will need to be negotiations.

Scott Trimble added that at this time we do not know the legal considerations and realities of the SBDM regulations. There are a number of issues that will have to be dealt with as states, districts and schools implement NCLB. No one has all the answers at this time.

Cindy Owen advised that as part of NCLB the district must provide technical assistance to NCLB improvement schools. The law outlines some specific assistance that the district must provide.

There also is district accountability. The elementary, middle and high school student data will be aggregated into a district result. Basically we are treating the district as a K-12 school. The definition for full academic year will also apply for the district. Consequences at the district are a little different. There is a comparable series of tiers. Where as at the school level the district may take corrective action, at the district level the state may take corrective action. The state will be forced to take action after four consecutive years when the district is identified as a NCLB improvement district. The law outlines specifics for corrective action.

We originally thought we would be able to operate under a biennial system because it made sense. So we took our schools that were in assistance level 3 and made them Tier 2 schools for NCLB.

Cindy Owen provided an explanation of the NCLB reports that schools and districts will be receiving.

SCAAC member comments:

Margie Bradford asked if the members could receive a copy of the power point presentation. There is so much to NCLB, the complexities, the interactions of data that it would be very helpful if members could get a copy of the presentation.

KDE staff comments:

Cindy Owen responded that committee members could have the power point presentation. There also is another power point presentation that Rhonda Sims and Phyllis Shuttleworth have prepared for presentation to DAC's that committee members can have.

SCAAC member comments:

Benny Lile asked that members receive the power point presentations. Benny thanked Cindy and unless the committee had other questions we would move on to timely reporting of score results.

5f. No Child Left Behind Act of 2001 (NCLB)
Test Administration and Score Reporting Options

Scott Trimble

KDE staff comments:

Scott Trimble began the discussion on timely reporting of results. NCLB mandates that results be back to schools and districts prior to the beginning of the school year so that parents can make their choices and plans can be written. We will not be able to get results back to schools this year. We will be reporting October 1, October 7 for the CATS public release and October 14, 2003 for the NCLB public release. The reason USDOE has considered this ok, and they have for this year, is that there are no new schools with new consequences this year.

We have looked at a number of solutions to determine how to get test data back more quickly. There are three kinds of things that can be done. None are ideal things that we want to do:

1. We can move the testing window. We have looked at a fall testing window, to a January / February time frame and early April.
2. We have looked at changing the scoring procedure. Currently we administer six forms of the assessment. We have looked at in-state scoring as a solution and we now know that it will not work in terms of getting data back to schools by August 1. We have looked at solutions that Kansas and New York are doing. These states let/require teachers to score the open response items before they submit the test booklets to the contractor. There are a number of issues to implement in Kentucky in terms of teacher time and culture.
3. We have looked at changing the test construction. One of problems in getting data back timely, which Scott considers one of the strengths of the Kentucky system, is that we have six forms of the test so students can be assessed on a wide variety of items. In a given year we administer 130 to 140 multiple choice items in reading and 30 to 36 open response items in a single school. We will not be able to that if we have teachers scoring the assessments. We will have to narrow the assessment to one or two forms.

We need time to train scorers to score. In reading we need to train to score 30 open response items and it takes a couple of days to train for each item. Mathematics has 36 open response items.

Because we will not be able to implement any of these solutions until at least 2005, we have a real problem for 2004. USDOE will not allow us to release results again in October since parents need to make decisions when school starts. We have to come up with the plan that utilizes the Massachusetts solution. Massachusetts based a preliminary AYP reporting based on the multiple choice component of their assessment. We will administer our assessments as we currently planned to do, late April etc., score the multiple choice, scale, equate, build preliminary reports on whether or not the schools met AYP and get results back pretty close to August 1. The problem is that this is a preliminary set of reports and the consequences are very difficult for us to communicate. What Washington requires us to do is give the initial set of judgments, schools will be held to the consequences of offering school of choice. When we score the open response items we will be required to give a final set of AYP reports in October. We will then find out if our estimated predicted preliminary set of reports were right or not right. If we were right there is no issue. If we were wrong we owe the school an apology but that will not interfere with where the students have already been placed. This is even if the school moves from a preliminary not making AYP to meeting AYP. We may have told a school that they are ok on preliminary data and now they are not making AYP. The school will need to immediately implement consequences in October. A real Catch 22.

SCAAC member comments:

Suzanne Guyer asked how accurate an indicator are the multiple choice items.

KDE staff comments:

Scott Trimble reported that simulations with 2002 data, show that at the elementary and high school level we were 90 percent in agreement and approximately 80 percent of the middle schools have agreement.

We looked at fall testing where we would move the current 4th grade testing to the fall of the 5th grade testing. As we looked at logistics, tracking students back, definition of full academic year, etc. we realized that there is a significant increase in operational complexities. A unique student identification number is required and it needs to work well.

SCAAC member comments:

Cindy Heine said that a number of legislatures are asking why can't we just use multiple choice only?

KDE staff comments:

Scott Trimble responded that the reason we do not want to use multiple choice only has to do with several things. One is federal statute requires that we have multiple measures. We don't think multiple in multiple choice means multiple measures. You have to design a core content and a set of student performance expectations that are consistent with that multiple

choice assessment. This seems backwards in how you should design a curriculum. You should design the core content, the program of studies and the performance standards the way we have, and build an assessment that matches that. In almost every case that is going to require items that deal with application, with high order thinking skills and will want you to have some open response type questions.

The other issues with fall testing program will focus on how do we meaningfully translate the standards we deal with at the 4th grade to 5th grade, 6th to the 7th, 7th to the 8th. And particularly how you translate that data from a 6th grade middle school to a 5th grade elementary and a 9th grade high school to a 8th grade middle school while holding the middle school accountable for the performance that occurred. Can we hold the baseline and growth charts in tact and move the testing to the fall?

To not change the test construction we would have to move the administration of the test up to the February / March time frame. That is not an acceptable solution for a number of reasons, not the least is the standards we have developed are set in a April time frame. This probably offers more technical challenges.

If we were to get the tests back in time to contractual arrangements that we have now, we would have to move the testing up to early April. This again is not an acceptable solution. It might be more palatable but not likeable.

The contractor would expect us to complete everything in a much shorter period of time, collect answer documents absolutely perfectly and we still would have to reduce the number of forms.

If we reduce the number of forms we probably don't administer the item pool with the breadth that we do now so we begin to compromise how well we measure and cover the core content.

Scott Trimble talked about the New York regents examination, the resources required to support it at the state level, teacher training and allocating time at the school level for scoring the assessment.

One solution that we are hopeful for is a combination of reducing the number of forms in reading and mathematics for the open response component, probably to one form, administering the assessment in the same time frame as we are doing now, trying to talk the contractor into beginning to believe they can score the reading and mathematics and getting the reading and mathematics data back to us before August 1 and doing something creative as using the previous years academic index as the other indicator. That is where we are headed.

SCAAC member comments:

Benny Lile asked Scott to explain the importance of the academic index.

KDE staff comments:

Scott Trimble responded that the academic index is there because it values all seven content areas that Kentucky wants to focus on in the curriculum. The second reason is that it is a set of data that we can disaggregate for safe harbor purposes. The bigger reason is that it focuses on the breadth of our core content.

SCAAC member comments:

Benny Lile wanted everyone to understand that getting the reading and mathematics back is quickly is important but all the other subject areas are our other indicator. We have to make success on the other indicator in order to have met AYP. If we can do the academic index lag, then that puts us in a biennial process. We truly are putting two years worth of data together.

OEA Staff comment:

Jerry Lunney pointed out that a school will could know a year ahead that they will not make AYP based on their previous year academic index performance.

SCAAC member comments:

Suzanne Guyer is opposed to only one form of the test because it does not measure the breadth and depth of the program.

Roger Pankratz talked about scoring and using teachers. Roger described the instructional value of scoring locally utilizing teachers. However, there are some folks that will never be successful scorers. They just don't think that way.

KDE staff comments:

Scott Trimble responded that staff development in scoring is required and critical. Even with experienced scorers still need training. In a high stakes accountability Scott is not sure teachers can be consistent without ongoing training. Timing consideration would require training of teachers prior to the test administration. The scoring would have to occur at the school level and be entered into the system at the school level. These are things we know can be done but we never have tried them.

SCAAC member comments:

Roger Pankratz recommends trying a pilot as a good approach.

Benny Lile summarized that it really isn't anything we need a motion on but Benny does sense it is consensus of the group that in-house in-state scoring is a viable alternative that needs to be investigated to the fullest. If it takes a year or two to fully flesh it out we are willing to go there.

Maynard Thomas recommended that Roger Pankratz make a motion and have the committee vote on it. Maynard feels that it has a lot more strength if it is a motion.

SCAAC MOTION

Roger Pankratz moves that we explore the options of scoring in-state and look at the possibilities and if it is not viable after we talk to teachers. That we move ahead on what the possibilities are, explore them and see if we can not come up with some option.

Benny said that we have a motion to explore the possibility of in-state scoring in order to better facilitate timely reporting for NCLB. Linda Sheffield seconded the motion.

Varetta Hurt added that there should be major teacher input.

Suzanne Guyer added that we need to give the teachers parameters so we can get better feedback.

The motion by voice vote passed unanimously.

**Regulatory considerations and policy issues for the
DAC guide (District Assessment Coordinators guide)**

**Scott Trimble
and
Rhonda Sims**

SCAAC member comments:

Benny Lile advised members that this is an added item to the agenda dealing with the DAC guide.

KDE staff comments:

Scott Trimble pointed out that we have a number of logistical issues that we have traditional enforced we feel successfully through the publishing the DAC guide and the District Assessment Coordinators Implementation Guide. The current administration code regulation seems to say that schools and districts have to comply with procedures published in this particular guide. There are some people who feel that we have begun to deal with policy level issues that should be directly in Kentucky Administrative Regulation (KAR). So we have tried to pick those out of the DAC guide and summarize them in this regulation.

Rhonda Sims advised that there are 17 policies which are being consolidated into the regulation. Rhonda then walked the committee through each of the policies:

1. Retained Students
2. Double or Multiple grade Promotions and State Required Assessments
3. Students Not Participating in State Required Assessments
4. Students Twenty-one (21) Years of Age or Older
5. Expelled Students
6. Dropout Status and Assessment Requirements

7. Federal Accountability Student Rosters
8. State Accountability Student Roster
9. Norm Referenced test Requirement and End of Primary
10. Enrolling Transient Students
11. Writing and Alternate Portfolio Completion Date
12. Adjustments to Testing Window Due to Natural Disasters
13. Storing Alternate and Writing Portfolios
14. Writing Portfolio Scoring Timelines and Post Administration Assessment Administration Activities
15. Medical Exemption
16. Portfolio Scoring
17. Portfolio Rescore/Audit Procedures

Committee members made recommendations on certain items on how to improve the item and the regulation overall.

2.	No Child Left Behind Act of 2001 (NCLB) Augmented NRT in Reading (grades end-of-primary, 5, 6, and 8) and Mathematics (grades end-of-primary, 4, 6, and 7)	Benny Lile
----	---	-------------------

Benny Lile asked Scott Trimble to present the Augmented National Norm Reference Test (NRT).

KDE staff comments:

Scott Trimble reported that when we go to the Augmented NRT in 2005 almost certainly we will go to a new set of norms. The current norms are from the 1996 school year. The new norms will be from 2000 or 2001. We will be going to the latest norms. They are on the same scale so it will not affect the CATS long term accountability index. It will affect the way normative data looks if passed experience is a teacher. Our state percentile is most likely to back much closer to the middle 50th percentile, the national average.

We will go from CTBS/5 to CTBS/6 in 2005. They are different items but they probably measure the content vary similar to the CTBS/5. We will be using a Form C, D, or E. NTAPAA has recommend that a different form of CTBS each year.

Scott Trimble then explained how the non-normed components of Augmented test will be constructed. We will articulate the core content in reading at grades 3, 5, and 6 and 8 and in mathematics at grades 3, 4, 6 and 7. Core Content for reading at grade 4 and 7 and mathematics grade 5 and 7 will not change. We have to articulate a core content that is specific to these other grades such that it is consistent with what we already do. We can not change the core content. This information will go up on the WEB and will invite teacher review, public review, probably within the next couple of weeks. We will be turning it over to

the contractor October 1 to give them direction on how to build items for the augmented NRT. We will field test in the fall of 2004. We are leaving the word draft on the vertically aligned core content until we publish the first operational form of the assessment in case we have to revisit the draft.

Legislative Research Commission DRAFT Staff Report 6. Review of aspects of the Commonwealth Accountability and Testing System (CATS), including writing portfolios.	Scott Trimble
--	----------------------

Benny Lile announces the next and last item is the Legislative Research Commission staff report the committee members received in the mail this week.

KDE staff comments:

Scott Trimble felt that it was a fair, thorough and well thought out review. We were very appreciative with the openness that they went into it with. District Administrators and Principals seem to have more of a value for the writing portfolio and how it functions in the bigger scheme of things than do teachers. They tell us that we need to think though how we do some of our training issues. They are concerned about some those things. There are recommendations that we are going to take very seriously. They tell us to think through some of the features of our audit. For example, they think that it is not reasonable for us to think that a school that is audited for purposeful reading should be exempted from next years school audit. We found the advice that we received to be something we should consider very seriously. It has caused a lot of discussion on what the portfolio should look like in the future. We really need to rethink how this thing is functioning instructionally.

SCAAC member comments:

Benny Lile's shared some of his thoughts. First, this report and where the process is going. Benny has a feel that there is going to be a move to change writing assessment. If that is the case Benny would rather be on the front end helping shape it as opposed to being on the backend and trying to react. The second part is that there are issues. Writing is better but we know there is still a multitude of issues around this whole issue. This is the window of opportunity to improve. Benny has not run across a sole person that says we do not have to assess writing. But Benny has run across all kinds of people who have problems with our current portfolio structure. He has yet to run across a teacher that wants to get out of the 5th grade. There is more content assessed at 5th grade, much more. So why do teachers not want to teach 4th grade

OEA staff comments:

Jerry Lunney pointed out that there may have to be some adjustment with 5th grade NRT as they will need to add more literature as most of the writing has been focused on things they can teach in social studies, Arts and humanities, and practical living / vocational studies.

They have not been teaching and placed much emphasis on literature. They are going to have to put literature back into the 5th grade curriculum.

Maynard Thomas observation on writing portfolios is by looking at the percentage of students who are in novice range in 4th grade on writing portfolios; there is not much movement in the senior portfolios either. That is scary to Maynard that you have students now who have been involved in the writing portfolio process for eight years and there is not a whole lot of movement toward the proficient level.

Benny Lile added that students are very heavy on the literary portion and our children are weak on technical writing. This is the least we are asking the students to as part of the writing portfolio.

Suzanne Guyer, Varetta Hart, Eleanor Mills and Benny Lile shared some experiences they have had with other teachers and students involving writing portfolios.

KDE staff comments:

Scott Trimble wrapped up by saying that the questions that did not come directly from this study, but they are questions that we need think about as we decide on how to advise on this portfolio issue. Benny is right that this is a topic that will not go away and should not go away.

ADJOURNMENT

SCAAC member comments:

Benny Lile advised that since there is no longer a member quorum, there cannot be a motion to adjourn the meeting. Benny Lile thanked everyone and ended the meeting at 3:43 p.m.